



## New Air Toxics Regulation for Automotive Maintenance and Repair Activities

### What is the purpose of this regulation?

At its April 2000 meeting, the California Air Resources Board (ARB) approved an airborne toxic control measure (ATCM) that requires the removal of the chlorinated compounds perchloroethylene (Perc), methylene chloride (MeCl), and trichloroethylene (TCE) from automotive consumer products sold, supplied, offered for sale, or manufactured for use in California. The ATCM can be found in Title 17, California Code of Regulations, section 93111.

Perc, MeCl, and TCE have all been identified as toxic air contaminants and probable human carcinogens. ARB staff estimates that 5.2 tons of Perc, MeCl, and TCE are emitted daily from automotive consumer products used in California automotive maintenance and repair (AMR) activities. Because AMR facilities are often found near residential neighborhoods and schools, the ARB adopted the ATCM to reduce public exposure to Perc, MeCl, and TCE. The ATCM will also reduce the amount of these compounds reaching wastewater treatment plants and hazardous waste disposal sites.

### What are Automotive Consumer Products?

The term "automotive consumer product" means any of the following aerosol or liquid products used in AMR activities:

- **Brake cleaner:** means a cleaning product designed, labeled, promoted or advertised (expressed or implied) to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms and motor vehicle parts.
- **Carburetor and fuel-injection air intake cleaner:** means a product designed, labeled, promoted or advertised (expressed or implied) to remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle body of a fuel-injection system, or associated linkages. "Carburetor or fuel-injection air intake cleaner" does not include products designed exclusively to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor or fuel injectors.
- **Engine degreaser:** means a cleaning product designed, labeled, promoted or advertised (expressed or implied) to remove grease, grime, oil or other contaminants from the external surfaces of engines and other mechanical parts.
- **General purpose degreaser intended for use in automotive maintenance or repair activities:** means any product designed, labeled, promoted or advertised (expressed or implied) to remove or dissolve grease, grime, oil and other oil-based contaminants from a variety of motor vehicle substrates or surfaces or miscellaneous metallic parts. "General purpose degreaser" does not include engine degreaser or general purpose cleaner.

### Does the regulation apply to all General Purpose Degreasers?

The short answer is no; the ATCM applies only to those general purpose degreasers that are "intended for use in AMR activities." This is reflected in the ATCM's definition of "automotive consumer products," mentioned above. This definition states that the "automotive consumer products" regulated by the ATCM include only "general purpose degreasers intended for use in AMR activities."

### How does the ARB distinguish between general purpose degreasers "intended for use in AMR activities" and general-purpose degreasers that are not intended for use in AMR activities?

These products can easily be identified through product labeling and the associated literature which states that the product is suitable for use on automotive or motor vehicle parts. However, there are some general purpose degreasers that are labeled to be suitable for use on a variety of metal parts, or state

that the product will "degrease anything." The ARB considers such products to be general purpose degreasers that are regulated by the ATCM, because such products are likely to be used in AMR activities, unless the label or literature specifically excludes the use in applications or on metal parts typically found in AMR activities.

For example, if a product label indicates that the product is solely suitable for specialized non-AMR applications such as degreasing of aviation components, then the product would not be regulated by the ATCM. However, if the product label or literature indicates that the product is for metal parts in general, but does not specifically exclude metal parts typically found in AMR activities, then the product would fall under the ATCM's definition of "general purpose degreaser" and would be regulated.

### **What are Automotive Maintenance and Repair Activities?**

The regulation defines "automotive maintenance and repair activities" as any service, repair, restoration, or modification activity to a motor vehicle in which cleaning or degreasing products could be used including, but not limited to, brake work, engine work, machining operations, and general degreasing of engines, motor vehicles, parts, or tools.

### **When does the prohibition on formulating with Perc, MeCl, or TCE become effective?**

After June 30, 2001, it is unlawful for any person (e.g., manufacturers, distributors, or retailers) to sell, supply, offer for sale, or manufacture for sale in California any automotive consumer product that contains Perc, MeCl, or TCE. There is an exception to this prohibition, however; products manufactured on or before June 30, 2001, are allowed a one-year "sell-through" period, as explained in the following paragraph. Products manufactured after June 30, 2001, will not qualify for this sell-through period, and therefore cannot be sold or manufactured for sale in California if they contain Perc, MeCl, or TCE.

### **Is there a "sell-through" period?**

Yes, the regulation provides that automotive consumer products containing Perc, MeCl, or TCE, and manufactured on or before June 30, 2001 may be sold, supplied, or offered for sale in California until July 1, 2002. (In order to qualify for this "sell-through" period, the product container must display a date or date-code showing when the product was manufactured.)

### **Are there other requirements?**

- Yes, beginning May 4, 2001, manufacturers are required to display on each product container the date on which the product was manufactured, or a code indicating the date. If a code indicating the date is used, the manufacturer must file an explanation of the code with the Air Resources Board.
- After December 31, 2002, automotive maintenance and repair facility owners and operators are prohibited from using automotive consumer products that contain Perc, MeCl, or TCE.

### **For more information**

To obtain a copy the regulation, ARB staff report, and other related documents, visit our web site at <http://www.arb.ca.gov/toxics/toxics.htm>. You may also obtain this document in an alternative format by contacting ARB's ADA Coordinator at (916) 323-4916 (voice); (916) 324-9531 (TDD, Sacramento area only); or (800) 700-8326 (TDD, outside Sacramento). Additional questions may be addressed to Mr. Mark Williams of the Stationary Source Division at (916) 327-5633.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our web site: [www.arb.ca.gov](http://www.arb.ca.gov).